

HB 1183 -- Anti-Terrorism

Sponsor or Co-Sponsors: Gaskill

Same as or similar to: Year:

Emergency Clause: No or Effective Date of:No

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows:

This bill establishes the Anti-Terrorism Act. It creates crimes related to terrorism, and makes various revisions to sections dealing with criminal procedure.

#### TERRORISM - FIRST DEGREE

This bill defines the crime of terrorism in the first degree as knowingly committing, attempting to commit or conspiring to commit a specified felony offense with the intent to intimidate or coerce civilians, influence government policy through intimidation or coercion, or affect the function of government by murder, assassination or kidnaping. Terrorism in the first degree enhances the penalty for the underlying felony by one classification. When the underlying felony is murder, the penalty is death or life imprisonment without parole; if the underlying is felony is another class A felony, the penalty is life or life without parole; if the underlying felony is a non-classified felony, the penalty is 10-30 years imprisonment or life without

parole. These penalties are in addition to any punishment allowed for the underlying felony offenses.

#### TERRORISM - SECOND DEGREE

Terrorism in the second degree is defined as knowingly committing, attempting to commit or conspiring to commit a specified misdemeanor, with the intent to intimidate or coerce civilians or influence government policy through intimidation or coercion. The punishment for terrorism in the second degree is a class C felony, in addition to any punishment allowed for the underlying misdemeanor.

#### SOLICITING AND SUPPORTING TERRORISM

This bill defines the crime of soliciting or providing support for an act of terrorism as knowingly raising, soliciting, or providing material support or resources with the intent that the material, support, or resources are to be used to plan, prepare, carry out, or aid an act of terrorism or the concealment of or escape from an act of terrorism. The punishment is a felony with imprisonment for 25 years.

#### MAKING A TERRORISTIC THREAT - FIRST DEGREE

This bill creates the crime of making a terroristic threat in the first degree. It is defined as knowingly communicating a threat to commit a felony, knowingly making a false report concerning

the commission of a felony, or knowingly causing a felony to be committed with the intent to intimidate or coerce civilians, influence government policy through intimidation or coercion, or affect the conduct of government through murder, assassination or kidnaping, and causing the evacuation or closure of any building. The penalty is a class C felony

#### MAKING A TERRORISTIC THREAT - SECOND DEGREE

This bill creates the crime of making a terroristic threat in the second degree. It is defined as causing the evacuation or closure of a building or transportation facility, communicating a threat to commit a felony, making a false report concerning the commission of a felony or the occurrence of a catastrophe, or causing the commission of a felony that requires the evacuation of a building. The penalty for making a terroristic threat in the second degree is a class D felony.

#### VICTIM TAMPERING

This bill creates the crime of victim tampering, which is defined as dissuading a victim of a crime or someone acting on their behalf from reporting victimization to authorities, pursuing prosecution, or seeking the arrest of an offender. The penalty is a class A misdemeanor, unless the original charge was a felony, in which case it is a class D felony. If the original charge was terrorism in the first or second degree, the penalty

is a class B felony, without the possibility of parole.

#### CRIMINAL PROCEDURE

This bill adds terrorism in the first degree when the underlying felony is first-degree murder to certain criminal procedure statutes, including sections dealing with appeals by the state taken directly to the Supreme Court, venue for homicide trials, joinder of homicide offenses, and procedure in murder trials. First-degree terrorism where the underlying felony is first-degree murder is also listed as an aggravating circumstance in murder trials where the death penalty is authorized.

#### ADMINISTRATION OF JUSTICE

This bill enhances the penalty for concealing an offense, hindering prosecution, permitting escape, tampering with physical evidence, tampering with a witness, and disturbing a judicial proceeding concealing offense when the underlying prosecution is for a felony offense and when the underlying prosecution is for first or second degree terrorism.

This bill contains penalty provisions.

Amy V.